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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/680,225

10/08/2003

Kenjiro Takagi

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11/28/2006

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ALEXANDRIA, VA 22314

EXAMINER

DUNHAM, JASON B

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,225

Applicant(s)

TAKAGI ET AL.

Examiner

Jason B. Dunham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant amended claims 1,3-5,10, and 11 and canceled claim 2 in the response filed September 7, 2006 in response to the office action dated June 9, 2006. Claims 1 and 3-14 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-14 are rejected under 35 U.S.C. 103(a) as being obvious over Anderson (U.S. Patent Application Publication No. 2003/0172004) in view of Segawa (U.S. Patent Application Publication No. 2003/0105668) and Robinson (U.S. Patent Application Publication No. 2004/0225577).

Referring to claim 1. The combination of Anderson, Segawa, and Robinson discloses an online shopping method for exchanging information concerning a commodity at a shopping site where commodities can be purchased online, the online shopping method executed by a server at the shopping site comprising the steps of:

- Displaying commodities on sale at the shopping site (Anderson: abstract & figure 7);

- Displaying information concerning information providers who are included in information providers for a commodity selected from among the displayed commodities and who are currently logged on to the shopping site (Anderson: abstract);
- Accepting a message input from a purchaser to a selected one of the displayed information providers regarding the selected commodity (Anderson: figures 2-3);
- Transmitting the input message to the information provider selected from the information providers (Anderson: figure 2 and paragraphs 21 & 24);
- Receiving a reply message for the transmitted message from the information provider (Anderson: figure 3 and paragraphs 21 & 24);
- Transmitting the reply message to the purchaser (Anderson: figure 3);
- Anderson discloses all of the above but does not expressly disclose granting a privilege only when a commodity is purchased. Segawa discloses a method of granting a privilege to the selected information provider, provided that information as to an effect that the selected commodity was purchased is input by the purchaser (Segawa: paragraph 17). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Anderson to have included granting a privilege only when a commodity is purchased, as taught by Segawa, because it is preferable to reward users who contribute information that leads to an actual increase in good sold (Segawa: paragraph 18).

- The combination of Anderson and Segawa discloses all of the above but does not expressly disclose storing reliability points based on purchaser's evaluations.
- Robinson discloses an online shopping method comprising:
 - Storing reliability points of information providers on an information provider basis (Robinson: abstract);
 - Receiving, from the purchaser, an input of evaluation on the reply message as to the purchased commodity (Robinson: paragraph 47);
 - Varying reliability points of the selected information provider, based on the evaluation by the purchaser (Robinson: paragraph 46);
 - Displaying, on a terminal of the purchaser, the reliability points of information providers on an information provider basis as information concerning the information providers (Robinson: figure 7).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Anderson/Segawa to have included storing reliability points based on purchaser's evaluations, as taught by Robinson, in order to reward those providing highly reliable ratings (Robinson: abstract).

Referring to claim 3. The combination of Anderson, Segawa, and Robinson further discloses a method wherein the privilege is points that can be used in the online shopping (Segawa: paragraph 63).

Referring to claim 4. The combination of Anderson, Segawa, and Robinson further discloses a method wherein the privilege is to give back a fixed proportion of a

price of a commodity for which the information provider has provided information, to the information provider (Segawa: paragraph 63).

Referring to claim 5. Claim 5 is rejected under the same rationale set forth above as the combination of Anderson, Segawa, and Robinson discloses a system according to claim 5.

Referring to claim 6. The combination of Anderson, Segawa, and Robinson further discloses a system wherein the user information management unit stores the information provider and a privilege corresponding to the information provider so as to associate them with each other (Segawa: figure 1).

Referring to claim 7. The combination of Anderson, Segawa, and Robinson further discloses a system wherein the shopping site operation apparatus stores the message transmitted from the purchaser terminal and the reply message to the message as a message log for the commodity (Segawa: paragraph 11).

Referring to claim 8. The combination of Anderson, Segawa, and Robinson further discloses a system wherein:

- The shopping site operation apparatus further comprises a sales processing unit responsive to reception of information to an effect that a commodity selected at the purchaser terminal is purchased, for conducting sales processing of the commodity (Anderson: paragraph 15), and
- After the sales processing unit has finished sales processing of the selected commodity, the shopping site operation apparatus grants a privilege

corresponding to the evaluation received from the purchaser terminal (Segawa: abstract & paragraph 17 and 18).

Referring to claim 9. The combination of Anderson, Segawa, and Robinson further discloses a system wherein the information provider is a user of the shopping site who has a purchase history of the corresponding commodity (Anderson: figure 4).

Referring to claim 10. Claim 10 is rejected under the same rationale set forth above as the combination of Anderson, Segawa, and Robinson discloses a program embodied in a medium according to claim 10.

Referring to claim 11. Claim 11 is rejected under the same rationale set forth above. The combination of Anderson, Segawa, and Robinson further discloses a method for improving the reliability of information provided for a commodity purchaser including:

- Selecting, on the terminal of the purchaser, an information provider from the list of information providers, and transmitting a message concerning a commodity desired to purchase to a terminal of the selected information provider via the operation apparatus (Anderson: paragraph 24); and
- In the operation apparatus, receiving the comment, updating evaluation of the selected information provider, and notifying the selected information provider of the updated evaluation (Segawa: figure 1).

Referring to claims 12 - 13. Claims 12-13 rejected under the same rationale set forth above as the combination of Anderson, Segawa, and Robinson discloses methods according to claims 12-13.

Referring to claim 14. The combination of Anderson, Segawa, and Robinson further discloses a method wherein the transmission and reception of the message and the reply message are repeated between the terminal of the purchaser and the terminal of the selected information provider a plurality of times (Anderson: paragraphs 18 and 24).

Response to Arguments

Applicant's amendment to claim 10 rendered the previous 35 U.S.C. 101 rejection moot.

Applicant's arguments with respect to claims 1 and 3-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason B. Dunham whose telephone number is 571-272-8109. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JBD
Patent Examiner
11/21/06



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